

PATENT  
Customer No. 22,852  
Attorney Docket No. 05273.0101

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Shinji NISHITANI et al. )  
Application No.: 10/587,509 ) PCT Appln. No.: PCT/JP2005/022412  
Filed: July 27, 2006 ) Group Art Unit: 1625  
For: PROCESS FOR PREPARING ) Examiner: D. Margaret Seaman  
REBAMIPIDE )  
)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**APPLICATION FOR PATENT TERM ADJUSTMENT-PRE-GANT**

In accordance with 37 C.F.R. § 1.705(b), Applicant hereby applies for patent term adjustment under 35 U.S.C. § 154(b) of 680 days. This application is being filed before or with the issue fee payment, as required by 37 C.F.R. § 1.705(b).

**I. Statement of the Facts Involved**

**A. Correct Patent Term Adjustment**

Applicant received the Determination of Patent Term Adjustment with the Notice of Allowance and Fee(s) Due mailed from the Patent and Trademark Office (PTO) on August 7, 2009, advising that this application is entitled to 371 days of patent term adjustment.

Applicant has calculated a patent term adjustment of 680 days based on the following facts:

**Relevant Dates**

The National Stage entry for the above-identified application was filed July 27, 2006. All of the 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements were submitted on this date.

The first action which was the Notice of Allowance, was mailed on August 7, 2009, resulting in a PTO delay of 680 days beyond the 14 months provided by 35 U.S.C. § 154(b).

Thus, the total PTO adjustments based on delay is 680 days and the reductions in term adjustment is 0 days, resulting in a patent term adjustment of 680 days total. Applicant respectfully requests that the current patent term adjustment be reconsidered.

**B. Terminal Disclaimer**

The above-identified application is not subject to a Terminal Disclaimer.

**C. Reasonable Efforts**

There were no circumstances constituting a failure to engage in reasonable efforts to conclude processing of examination of the above-identified application, as set forth in 37 C.F.R. § 1.704.

**II. Fee**

Since this application is being filed electronically, and as required by 37 C.F.R. § 1.705(b)(1), the required fee of \$200.00 is being electronically submitted, concurrently with this filing.

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Please charge any deficiencies to our Deposit Account No. 06-0916. If there are any other fees due in connection with the filing of this request, please charge them to our Deposit Account No. 06-0916.

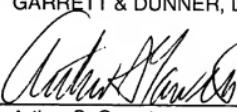
Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated:

*November 3, 2009*

By:

  
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Arthur S. Garrett  
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